

Criminal No. 99-1417 JC

1. As you may know, charges have been brought against Dr. Wen Ho Lee in the above-captioned case. Dr. Lee is represented by Attorneys Mark Holscher, Nancy Hollander, and John Cline. Mark Holscher and John Cline have been given Q clearances for purposes of this case. Ms. Hollander has not yet received a Q clearance. Mr. Holscher, Mr. Cline, and/or Ms. Hollander may wish to speak with you about matters relating to the charges against Dr. Lee.

2. You are free to speak with Dr. Lee's counsel if you wish. If you choose to speak with Mr. Holscher or Mr. Cline, you are authorized to disclose to them Restricted Data and other classified information relevant to the charges against Dr. Lee. You may not disclose restricted data to Ms. Hollander until she receives a security clearance. If you choose to be interviewed, you have the right to choose to have a third party present. You


may request the presence of your supervisor, LANL counsel, or legal counsel of your own choice. If you are a LANL managerial employee, you must notify LANL counsel that you have been contacted for an interview before the interview takes place.

3. Discussions with Dr. Lee's counsel that do not involve Restricted Data or other classified information may occur at any location. Discussions that involve Restricted Data or other classified information may only occur (1) in the secure area provided to the defense at the Federal Courthouse in Albuquerque, New Mexico, or (2) at the working area that will be provided to the defense at LANL. Discussions involving Restricted Data or other classified information may not occur at any other location.


4. If you have questions regarding the "need to know" basis of the questions being asked, please discuss the issue with defense counsel. If you are unable to satisfy yourself that defense counsel have a "need to know" the information at issue, you may wish to discuss the matter with your supervisor or LANL counsel.

5. No LANL documents are to be delivered directly to defense counsel. Any LANL document you are asked to produce or want to provide to defense counsel must be delivered to LANL counsel who will then process the request. This is the same procedure used in providing documents to the United States Attorney's office in this case.


6. This notice authorizes you to speak with the defense, but it does not require you to do so. Whether you choose to speak with defense counsel is entirely up to you.

 03.16.00

FRANK DICKSON
Los Alamos National Laboratories Counsel

 03.20.00

C.S. (TYLER) PRZYBYLEK, Chief Counsel
Department of Energy

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ROBERT J. GORENICE
Asst. United States Attorney